

REMARKS

Item 10 of the PTO Form 326 does not indicate whether the drawings have been objected to or accepted by the Examiner. Applicants respectfully request that the Examiner accept the drawings.

Claims 15 and 23 have been rejected under 35 U.S.C. 112, second paragraph as being indefinite. Claim 23 has been canceled without prejudice or disclaimer.

Regarding claim 15, Applicants have amended this claim to recite “first and second toner particles” in order to clarify that this is the initial recitation of these terms. Therefore, the rejection of claim 15 under 35 U.S.C. 112, second paragraph should be withdrawn.

Claims 12 – 22 have been rejected under 35 USC 103(a) as being anticipated by U.S. Patent No. 5,266,427 to Iwase *et al.* in view of U.S. Patent No. 5,614,290 to Yamaguchi. For the reasons discussed below, these claims, as amended, are now in condition for allowance.

Claims 12 and 13 have been amended to recite the novel embodiment disclosed, for example, on pg. 22 in which the back light type display panel 1 includes an opaque layer 20 of printed toner particles k1, k2 printed on said base film 10 to form a plurality of display patterns, and a transparent layer 22 of ink printed on said base film 10 to form a plurality of transparent colored patterns that corresponds to the display patterns.

Iwase *et al.* discloses a display board having a substrate 1, a transparent photopolymerization resin layer 2 formed on the substrate 1, and a picture layer 3 formed in a surface of the transparent photopolymerization layer 2. The picture layer 3 is composed of resin layers of four colors. (See Col. 4, Lines 5 – 6). However, Iwase *et al.* fails to teach or suggest an opaque layer of printed toner particles and a transparent layer of ink printed on a base film. More particularly, the picture layer 3 of Iwase *et al.* is composed of dot-shaped

photopolymerization resin layers transferred to the layer 2 as described in col. 5, lines 44 – 47. The dot-shaped resin is not a printed toner particle as recited in amended claims 12 and 13.

As admitted by the Examiner, Iwase *et al.* fails to teach or suggest transparent layers of ink printed on the base film. It has been asserted that Yamaguchi teaches this limitation. Applicants respectfully disagree with this assertion.

Yamaguchi discloses a display panel 10 having a color pattern layer 14 formed on one side of a glass substrate 12. The color pattern layer 14 includes a plurality color areas bordered by black lines 16. However, these color areas are not provided by transparent layers of ink as recited in amended claims 12 and 13. Rather, as disclosed in col. 4, lines 46 – 54 and col. 5, lines 10 – 14, black toner powder 24 is applied to the surface of the dielectric layer 20 to pass a back light through the desired color areas and to interrupt light from the other two different color areas.

Therefore, because both Yamaguchi and Iwase *et al.* fail to teach or suggest to disclose an opaque layer of printed toner particles and a transparent layer of ink printed on a base film as recited in amended claims 12 and 13, it is respectfully requested that the rejection of claims 12 and 13 under 35 U.S.C. 103(a) be withdrawn.

Each of claims 14 – 22 depends from either claim 12 or claim 13. Therefore, claims 14 – 22 should be in condition for allowance for the above-mentioned reasons with respect to claims 12 and 13.

In accordance with the election of October 20, 2005, claims 1 – 11 are canceled without prejudice or disclaimer.

Further, as a result of this election, Applicant has filed a Petition Under 37 C.F.R. 1.48(b) requesting deletion of Osamu INA and Takashi AOKI as named inventors.

In view of the foregoing, the applicants submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kerry S. Culpepper", written over a horizontal line.

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